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## TRANSMITTAL FORM

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	Application Number	09/777,364	
	Filing Date	February 5, 2001	
	First Named Inventor	Andy C. Neilson	
	Art Unit	1743	
	Examiner Name	Jeffrey R. Snay	
Total Number of Pages in This Submission	6	Attorney Docket Number	FSII 304

ENCLOSURES (Check all that apply)			
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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	James R. Abney, Esq. Kolisich Hartwell, P.C.
Signature	
Date	July 22, 2004

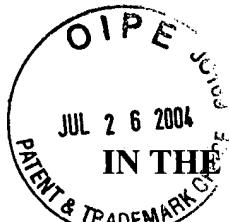
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Typed or printed name	James R. Abney, Esq.		
Signature		Date	July 22, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of

ANDY C. NEILSON, MICHAEL R. SWEENEY,  
JAMES D. ORRELL III, MICHAEL W. OSTER,  
JOHN M. HOPKINS, and MARC SAMSON

Date: July 22, 2004

Examiner Jeffrey R. Snay

Serial No. : 09/777,364

Group Art Unit 1743

Filed : February 5, 2001

For : APPARATUS AND METHODS FOR INFRARED  
CALORIMETRIC MEASUREMENTS

Mail Stop ISSUE FEE  
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Sir:

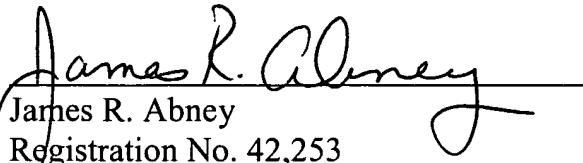
**COMMENTS ON STATEMENT OF REASONS FOR ALLOWANCE**

Applicants received a Notice of Allowance dated July 16, 2004 on the above-identified patent application. In the Notice, the Examiner allowed claims 39-74. The Examiner also paraphrased applicants' claimed invention as part of the stated reasons for allowance. Applicants agree with the Examiner's conclusions regarding the patentability of the allowed claims, without necessarily agreeing with or acquiescing in the Examiner's reasoning. In particular, applicants believe that the application is allowable because the prior art fails to teach or suggest the invention as claimed, independent of how the invention is paraphrased.

Please contact the undersigned if you have any questions or comments, or if applicants can be of any assistance in expediting issuance of the patent.

Respectfully submitted,

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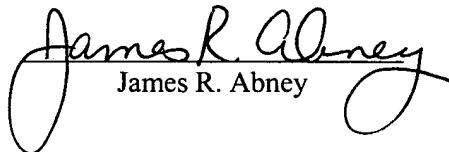
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James R. Abney